

**Minutes of the
City Commission for the City of Traverse City**



Regular Meeting

September 6, 2016

A regular meeting of the City Commission of the City of Traverse City was called to order at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan, at 7 p.m.

The following Commissioners were in attendance: Mayor Jim Carruthers, Mayor Pro Tem Ross Richardson, Brian Haas, Gary Howe, Richard I. Lewis, Amy Shamroe, and Tim Werner.

The following Commissioners were absent: None.

The Pledge of Allegiance was recited.

Mayor Carruthers presided at the meeting.

There being no objection, Mayor Carruthers modified the order of the Agenda to consider Agenda Item 5(a) as Old Business 3(a); and the remaining items were considered in their respective order.

As requested by Commissioner Tim Werner, Agenda Item 2(m) was removed from the Consent Calendar for individual consideration by the Commission.

2. Consent Calendar

Moved by Richardson, seconded by Shamroe, that the following actions as recommended on the amended Consent Calendar portion of the Agenda be approved:

- a. the minutes of the August 15, 2016 Regular Meeting, the August 22, 2016 Study Session, be approved.
- b. the City Manager be authorized to issue a confirming purchase order in the

amount of \$16,047.71 to Crystal Flash Energy for 10,002 gallons of dyed #2 diesel fuel without additives priced at \$1.60445 per gallon with funds available in the Garage Fund.

- c. a 2005 International Bucket Truck and Equipment and a 2003 Tennant Litter/Leaf Vac be declared surplus and that a purchase order in the amount of \$187,538 to Altec Industries for a 2017 Freightliner with Altec Bucket Package and a purchase order in the amount of \$49,885 to Fredrickson Supply for a 2016 MadVac LN50 Compact Litter Vac, for use by the Parks and Recreation Division be approved, with funds available in the Garage Fund.
- d. the City Manager be authorized to issue a confirming service order to Elmer's Crane & Dozer, Inc. in the amount of \$55,095 for the removal of 750 cubic yards of dried alum sludge and to clean/dredge the north lagoon at the Traverse City Water Treatment Plant, with funds available in the Water Fund.
- e. the competitive bidding process be waived; and that the City Manager be authorized to issue a service order to Lucity, Inc. in the amount of \$25,050 for software to manage the capital improvement program, with funds available in the Capital Projects Fund.
- f. the Mayor and City Clerk execute a contract with Thomson Reuters (Westlaw) for City Attorney legal research resource services, for a three-year period beginning October 2016, at the initial annual rate equivalent of \$4,596.72, and increasing 3% per year thereafter, such contract subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the City Attorney Department Budget.
- g. the Mayor and City Clerk execute an amendment to the agreement with Prein & Newhof (originally authorized on February 2, 2015) for additional services related to the 2015 Water Treatment Plant Monitoring and Control Improvements Project as outlined in the Water Treatment Plant Superintendent's August 15, 2016, communication, with funds available in the Water Fund, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney.
- h. the competitive bidding process be waived; and that the Mayor and City

Clerk execute a consultant agreement with AECOM in the amount of \$41,199.60 for technical assistance associated with bridge design for the South Cass Street Bridge, with funds available in the Public Improvements Fund, specifically TIF 97 and TIF II, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney, with TIF funds subject to approval by the Downtown Development Authority Board of Directors.

- i. the Resolution Scheduling Public Hearing on Special Improvement District No. 2016-004, be adopted, scheduling the public hearing for October 3, 2016.
- j. Removed from the Consent Calendar.

CARRIED unanimously.

Items removed from the Consent Calendar.

a.

Consideration of adopting to make permanent the following traffic control orders; #596: which designates “Parking Meter Zone” on the north side of Washington Street from south Cass to the westerly driveway to 300 E. State Street, #601: which installs a Handicap Parking Sign at the parking space on the north side of West State Street immediately south of 128 West State Street , and #603: which installs “No Parking This Side of Sign,” and “No Parking Between Signs” on the north side of Wayne Street near Madison Street.

Moved by Lewis, seconded by Haas, that Traffic Control Orders 596, and 601 which designate a Parking Meter Zone on the north side of Washington Street, install a Handicap Parking sign at the space on the north side of West State Street immediately south of 128 West State Street be adopted to be made permanent; and that Traffic Control Order 603 be referred to a Study Session for further discussion.

Rick Buckhalter, 932 Kelley Street

CARRIED unanimously.

3. Old Business.**3(a).**

Consideration of approving the Mayor's appointments to the Downtown Development Authority Board of Directors.

Moved by Shamroe, seconded by Richardson, that the Mayor's reappointment of Charles Judson and appointment of Debbie Hershey each to a four-year term expiring September 15, 2020, seats previously held by Charles Judson and Rick Korndorfer, on the Downtown Development Authority Board of Directors, be approved.

The following addressed the Commission:

Charles Judson, Downtown Development Authority Board Member
Debbie Hershey, candidate for the Downtown Development Authority Board of Trustees

Roll Call:

Yes - Haas, Howe, Lewis, Shamroe, Richardson, Carruthers.

No - Werner.

CARRIED.

3(b).

Consideration of adopting a resolution supporting preliminary design and development of the West Boardman Lake Trail Loop.

The following addressed the Commission:

Marty Colburn, City Manager

Moved by Shamroe, seconded by Howe, that the Resolution Supporting the Preliminary Design and Development of the West Boardman Lake Loop, be adopted.

Benjamin Marentette, City Clerk
Rick Buckhalter, 932 Kelley Street

CARRIED unanimously.

3(c).

Public Hearing on the assessment roll for Special Improvement District SID 2016-003 which would cause the paving of an existing alley south of Fourteenth Street, east of Cass Street, and consideration of adopting the necessary resolution to approve the district and adopting the related budget amendment.

The following addressed the Commission:

Marty Colburn, City Manager

City Clerk Benjamin Marentette asked those who are in attendance who reside in the area within the proposed special improvement district to indicate their attendance to preserve their right to further appeal and no one responded.

Mayor Carruthers opened the public hearing.

There being no one desiring to speak, Mayor Carruthers closed the public hearing.

Moved by Lewis, seconded by Richardson, that the Resolution Approving Special Improvement District SID No. 2016-003, be adopted, and that a budget amendment be made to increase the budgeted revenue and budgeted expenses in the Special Assessment Fund by \$28,750 to reflect the revenue and expenses for this project.

CARRIED unanimously.

3(d).

Consideration of authorizing a change order to the contract for 2016 Paving and Resurfacing Projects Phase I to pave the alley south of Fourteenth Street, east of Cass Street, in connection with SID 2016-003.

Moved by Werner, seconded by Shamroe, that the Mayor and City Clerk execute a unit prices change order to the contract with Elmer's Crane and Dozer for the 2016 Paving and Resurfacing Projects Phase I (originally authorized March 21, 2016), in the amount of \$25,151, more or less, for paving the alley south of Fourteenth Street, east of Cass Street, such change order subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the Special Assessment Fund.

CARRIED unanimously.

4. New Business.

4(a).

Consideration of negotiation strategy in connection with the collective bargaining agreement for the General Municipal Employees – General Unit; and consideration of taking action in connection with this matter.

The following addressed the Commission:

Marty Colburn, City Manager

Moved by Lewis, seconded by Haas, that the Mayor and City Clerk execute the three-year collective bargaining agreement with GME-General Unit, with terms as outlined in the document entitled *General Municipal Employees – General Unit*, dated September 6, 2016, with the agreement subject to approval as to its substance by the City Manager.

CARRIED unanimously.

4(b).

Consideration of negotiation strategy in connection with the collective bargaining agreement with the Sergeants of the Traverse City Police Department and consideration of taking action in connection with this matter.

The following addressed the Commission:

Marty Colburn, City Manager

Moved by Lewis, seconded by Richardson, that the Mayor and City Clerk execute the three-year collective bargaining agreement with the Police Sergeants, with terms as outlined in the *Summary of Changes for Sergeants* document dated September 6, 2016, with the agreement subject to approval as to its substance by the City Manager.

Benjamin Marentette, City Clerk

CARRIED unanimously.

4(c).

Consideration of authorizing an agreement for legal services in connection with Michigan Tax Tribunal Docket 15-002178-TT, CVS #6843-01.

The following addressed the Commission:

Marty Colburn, City Manager

Lauren Tribble-Laucht, City Attorney

Moved by Howe, seconded by Richardson, that the Mayor and City Clerk execute an agreement with Fahey Schultz Burzych Rhodes, PLC, in the amount not to exceed \$15,000 for representation in CVS #6843-01 v. City of Traverse City, Michigan Tax Tribunal Docket 15-002178-TT, with funds available in the City Assessor department budget, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney.

Christine Maxbauer, 503 West Eighth Street

CARRIED unanimously.

4(d).

Consideration of authorizing an amendment to the Out of Scope Services Agreement with CH2M to allow for additional work to reconstruct and reinforce trough sidewalls as it relates to screw pump #1 body replacement at the Wastewater Treatment Plant.

The following addressed the Commission:

Marty Colburn, City Manager
Elizabeth Hart, CH2M

Moved by Lewis, seconded by Haas, that the Mayor and City Clerk execute an amendment to the Out of Scope Services Agreement with CH2M for various replacement items at the Wastewater Treatment Plant (originally approved on September 21, 2015), in the amount of \$210,766, for additional work to reconstruct and reinforce trough sidewalls as it relates to screw pump #1 body replacement at the Wastewater Treatment Plant, such amendment subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the Sewer Fund with reimbursement of approximately \$105,388, or 50% of the cost, by our Township partners.

Rick Buckhalter, 932 Kelley Street

CARRIED unanimously.

4(e).

Presentation regarding a bi-directional fish passage project at the Union Street Dam; and consideration of adopting a resolution of intent to serve as a partner in the project.

The following addressed the Commission:

Marty Colburn, City Manager
Dr. Andrew Muir, Ph.D., Great Lakes Fishery Commission Science Director
Heather Hettinger, Michigan Department of Natural Resources Fisheries Biologist
Frank Dituri, 2800 River Bend, East Bay Township, Grand Traverse Band of Ottawa and Chippewa Indians

Moved by Lewis, seconded by Richardson, that the Resolution of Intent to Serve as a Partner in the Bi-Directional Fish Passage Project at Union Street Dam, be adopted.

Amy Beyer, Conservation Resource Alliance Director

Rick Buckhalter, 932 Kelley Street

CARRIED unanimously.

5. Appointments

Considered as Old Business 3(b).

6. Reports and Communications

The following were received and filed:

- a. Reports, announcements and correspondence from the City Manager.
- b. Announcements from the City Clerk.
- c. Reports, announcements and correspondence from the Mayor and City Commissioners.
- d. Reports and correspondence from other City officials, boards and committees.
 1. Reports from members of the Commission serving on boards.
 2. Minutes of the Coast Guard City Committee meeting of July 7, 2016.
 3. Minutes of the Planning Commission meeting of July 6, 2016.
 4. Minutes of the Traverse Area District Library meeting of June 16, 2016.
 5. Minutes of the ACT 345 Retirement System meeting of April 27, 2016.
- e. Reports and correspondence from non-City officials.
 1. Monthly Operations Report for the Wastewater Treatment Plant from CH2M for July, 2016.

7. Public Comment

The following addressed the Commission:

1. Reserved.

None

2. General.

Rick Buckhalter, 932 Kelley Street

3. Mayor and City Commissioners.

Mayor Jim Carruthers
Commissioner Amy Shamroe
Commissioner Gary Howe
Marty Colburn, City Manager

8. Adjournment

There being no objection, Mayor Jim Carruthers declared the meeting adjourned at 8:46 pm.

Benjamin Marentette, MMC
City Clerk

Approved: _____, _____
(Date) (Initials)